

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P09791WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/007593	International filing date (<i>day/month/year</i>) 09.07.2004	Priority date (<i>day/month/year</i>) 10.07.2003
International Patent Classification (IPC) or national classification and IPC G06F17/60		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☐ the international application as originally filed/furnished

☒ the description:

pages 1-8 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. 2-9 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1 received by this Authority on 04.02.2005 with letter of 01.02.2005

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets 1/2-2/2 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-9</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-9</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-9</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Reference is made to the following documents:			
D1: US-A-6 298 319			
D2: WO-A-02/088909			
Document D1, which is considered to be the closest prior art, discloses (the references in parentheses are to D1) a method for designing and/or configuring a project (column 3, lines 5 to 17), wherein:			
<ul style="list-style-type: none">- in a memory of an engineering system connected to a programming device of the engineering system, design modules ("blocks and design templates") are stored in a library (column 5, line 48 to column 6, line 54);- copies of the design modules needed for the design and/or configuration of the project can be stored in the programming device (column 6, lines 55 to 61).			
The subject matter of claim 1 differs in that:			
(a) the project design and/or configuration represents automation equipment for controlling an engineering system;			
(b) the method has the following steps:			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

- references are stored in the programming device showing which design modules are to be copied; on the basis of the references the design modules are automatically copied and stored in the programming device.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can thus be seen as that of how to reduce the error susceptibility and design overhead.

The solution proposed in claim 1 of the application involves an inventive step (PCT Article 33(3)) for the following reasons:

Document D2 discloses a file stored on a computer or server. If the content of the file changes the file is automatically updated.

In claim 1 the design modules are automatically copied and stored in the programming device on the basis of the references. Because the programmer simply enters references and is not responsible for the actual copying, the error susceptibility and design overhead are reduced.

A person skilled in the art would therefore not be able to arrive at the subject matter of claim 1 on the basis of a combination of the teachings of D1 and D2, without making an inventive contribution.

The skilled person would also not be able to arrive at the subject matter of claim 1 on the basis of a combination of

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the teachings of D1 and one or more of the documents cited in the international search report, without making an inventive contribution.

Independent claims 5 and 9 define a system and a programming device respectively, but the subject matter claimed is the same as that of claim 1. Claims 5 and 9 therefore also meet the PCT requirements in respect of novelty and inventive step.

Claims 2 to 4 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.

Claims 6 to 8 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.